

Office of the Chapter 13 Standing Trustee

Isabel C. Balboa, Chapter 13 Standing Trustee[†]

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April 6, 2020

The Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court
P.O. Box 2067
Camden, New Jersey 08102

RE: Chapter 13 Bankruptcy
Debtor(s) Name: James E. Theisen
Case No: 19-30999 ABA
Hearing Date: N/A

Dear Judge Altenburg:

Please accept this letter as a limited objection to Mr. Sadek's January 7, 2021 Motion/Application for fees in the above referenced matter.

This case was filed on November 6, 2019. The Rules in effect at that time permitted a debtor's attorney to be paid a flat fee in a Chapter 13 case. D.N.J. LBR 2016-5. Thereafter, supplemental funds could be requested by motion accompanied by a Certification of Debtor's Counsel Supporting Supplemental Chapter 13 Fee. The amended rule allowing hourly billing in a Chapter 13 case took effect on August 1, 2018. The 2018 comments to the amended rule state that:

For cases filed or converted to Chapter 13 on or after the effective date of this Rule, the Court will no longer accept Local Forms, *Certification of Debtor's Counsel Supporting Supplemental Chapter 13 Fee* and *Order Granting Supplemental Chapter 13 Fees*. (underscored emphasis added)

Additionally, the proposed form of order filed with the Motion/Application, indicates a Trustee payment higher than needed. Therefore, the Trustee respectfully requests that the proposed form of order be amended to reflect new payments of \$715.00 per month for forty-seven (47). The Trustee respectfully requests Debtor's counsel file an Amended Certification of Debtor's Counsel Supporting Chapter 13 Fee as well as a revised form of Order to conform with D.N.J. LBR 2016-5 and to reflect new payments going forward.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Respectfully submitted,

***OFFICE OF THE CHAPTER 13
STANDING TRUSTEE***

/s/ Isabel C. Balboa

ISABEL C. BALBOA
Chapter 13 Standing Trustee

ICB:lka

c: Brad J. Sadek, Esquire (Debtor(s) Attorney) (via Electronic Case Filing / ECF)
James E. Theisen (Debtor) (via First Class Mail)